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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **WESTERN DIVISION**

11 CHARLES KELLER COOPER,

12 Plaintiff,

13 v.

14 TOMS, et al.,

15 Defendants.  
16

No. CV 17-2639-FMO (AGR)

**ORDER TO SHOW CAUSE WHY THIS  
ACTION SHOULD NOT BE DISMISSED  
WITHOUT PREJUDICE**

17 In this civil rights action, on May 22, 2019, Plaintiff filed a notice of change of address to  
18 13361 Central Road, Apple Valley, California 92308. Plaintiff advised that, although he is  
19 homeless, mail sent to this address “will get to him every two weeks.” (Dkt. No. 132.)

20 On June 28, 2019, the court issued an Order Re Discovery and Motions that set the  
21 discovery and motions deadlines in this case. (Dkt. No. 139.)

22 The court’s order was returned as undeliverable by the postal service on July 16, 2019.  
23 (Dkt. No. 143.)

24 Local Rule 41-6 requires that a Plaintiff proceeding pro se must keep the Court apprised  
25 of the Plaintiff’s current address. In addition, Local Rule 41-6 provides that “the Court may  
26 dismiss the action with or without prejudice for want of prosecution” if the Plaintiff fails to notify  
27 the Court in writing of Plaintiff’s current address within 15 days after mail is returned as  
28 undeliverable by the Postal Service.

1 Plaintiff has failed to notify the court in writing of Plaintiff's current address within 15  
2 days after mail is returned as undeliverable as required in Local Rule 41-6.

3 Accordingly, IT IS ORDERED that, on or before **September 9, 2019**, Plaintiff shall show  
4 good cause, if there be any, why this action should not be dismissed without prejudice for  
5 failure to prosecute and/or failure to comply with a court order. ***Filing a Notice of Current***  
6 ***Address on or before September 9, 2019, shall be deemed compliance with this Order to***  
7 ***Show Cause.***

8 ***If Plaintiff does not timely file a Notice of Current Address on or before***  
9 ***September 9, 2019, or otherwise respond to this Order to Show Cause, the court may***  
10 ***recommend that the action be dismissed without prejudice for plaintiff's failure to***  
11 ***prosecute and/or failure to comply with a court order. See Link v. Wabash R.R., 370 U.S.***  
12 ***626, 629-30, 82 S. Ct. 1386, 8 L. Ed. 2d 734 (1962).***

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15 DATED: August 9, 2019



ALICIA G. ROSENBERG  
UNITED STATES MAGISTRATE JUDGE